

SHAMEKA BISHOP,

Plaintiff.

v.

TIDEWATER FINANCE COMPANY
dba Tidewater Motor Credit

Defendant.

Case No.

**NOTICE OF REMOVAL OF
ACTION UNDER 28 U.S.C.
§ 1441(a)
(FEDERAL QUESTION)**

TO THE CLERK OF THE ABOVE-TITLED COURT:

PLEASE TAKE NOTICE that Defendant, Tidewater Finance Company, hereby removes to this Court the state court action described below.

1. On or about January 18, 2017, an action was commenced by Plaintiff in the 36th Judicial District Court, State of Michigan, entitled Shameka Bishop, Plaintiff, vs. Defendant, Case No. 17200158.
2. Defendant was served with process and with Plaintiff's Affidavit and Claim on January 30, 2017. Pursuant to 28 U.S.C. § 1446(a), this notice is timely filed. A copy of the Service of Process and Complaint served upon Defendant in the state court action are attached hereto as "Exhibit "A.""
3. This is a civil action brought by the Plaintiff under the laws of the United States, i.e., the Fair Credit Reporting Act, 15 U.S.C. § 1681, et seq., and the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. of which this Court has original jurisdiction under 28 U.S.C. § 1331. It may be removed to this Court by Defendant pursuant to 28 U.S.C. § 1441(a) in that it arises

under laws of the United States.

WHEREFORE, Defendant Tidewater Finance Company prays that this action be removed to the United States District Court for the Eastern District of Michigan.

DATED: February 16, 2017

TIDEWATER FINANCE COMPANY


/s/ James Robert Sheeran
James Robert Sheeran, V.S.B. No 14941

Tidewater Finance Company
6520 Indian River Road
Virginia Beach, VA 23464

Phone 757-961-5512

Mobile 757-201-0478

Email tcsjrs@twcs.com

Member of the Bar, U.S. District Court, Eastern
District of Michigan

Counsel for Tidewater Finance Company


**Service of Process
Transmittal**

02/06/2017

CT Log Number 530647108

TO: Cinnamon Kelley, Litigation Manager
Tidewater Finance Company
6520 Indian River Rd
Virginia Beach, VA 23464-3439

RE: Process Served in Michigan

FOR: Tidewater Motor Credit (Assumed Name) (Domestic State: VA)
Tidewater Finance Company (True Name)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Shameka Bishop, Pltf. vs. Tidewater Motor Credit, Dft.

DOCUMENT(S) SERVED: Affidavit, Instructions

COURT/AGENCY: Wayne County - 36th District Court, MI
Case # 17200158

NATURE OF ACTION: Violation of the Fair Debt Collection Act

ON WHOM PROCESS WAS SERVED: The Corporation Company, Plymouth, MI

DATE AND HOUR OF SERVICE: By Certified Mail on 02/06/2017 postmarked on 02/03/2017

JURISDICTION SERVED: Michigan

APPEARANCE OR ANSWER DUE: 03/01/2017 at 08:15 a.m.

ATTORNEY(S) / SENDER(S): 36th District Court
421 Madison
Detroit, MI 48226

ACTION ITEMS: CT has retained the current log, Retain Date: 02/07/2017, Expected Purge Date: 02/12/2017

Image SOP

Email Notification, Cinnamon Kelley tcs143@twcs.com

Email Notification, Demetria Wilson tcs159@twcs.com

SIGNED: The Corporation Company

ADDRESS: 40600 ANN ARBOR RD E STE 201
Plymouth, MI 48170-4675

TELEPHONE: 213-337-4615

DOCKET HISTORY:

DOCUMENT(S) SERVED:	DATE AND HOUR OF SERVICE:	TO:	CT LOG NUMBER:
Notice, Instructions	By Regular Mail on 01/30/2017 postmarked: "Not Post Marked"	Cinnamon Kelley, Litigation Manager Tidewater Finance Company	530602942

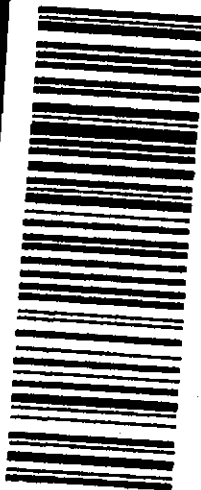
Page 1 of 1 / AY

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

S. Bishop
445 E. Grand Blvd
Det. MI 48207

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL



7015 0640 0001 2012 8946



1000

48170

U.S. POSTAGE
PAID
DETROIT, MI
48207
FEB 03, 17
AMOUNT

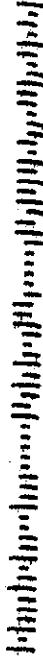
\$6.59

R2305K138438-10

Tidewater Motor Credit - Reg. Agent
45000 Ann Arbor Rd East Ste. 201
Plymouth, MI 48170

RETURN RECEIPT
REQUESTED

4817084675 0021



To order this form, visit www.privacarta.com
Target Information Management, Inc.

Approved, SCAO

Original - Court (with instructions)
1st copy - Defendant (with instructions)

2nd copy - Plaintiff (with instructions)
3rd copy - Return (with proof of service)

STATE OF MICHIGAN
36TH JUDICIAL DISTRICT

AFFIDAVIT AND CLAIM
Small Claims

CASE NO.

17200158

Court address

421 Madison, Detroit, MI 48226-2358

Court telephone no.

See additional notice and instructions on the back of plaintiff and defendant copies.

1. Shameka Bishop

Plaintiff

4105 E. Grand Blvd

Address

Det MI 48207

City, state, zip

Telephone no.

2. Tidewater Motor Credit

Defendant

40600 Ann Arbor Rd Ste. 204

Address

Plymouth MI 48170

City, state, zip

Telephone no.

NOTICE OF HEARING

For Court Use Only

The plaintiff and the defendant must be in court on

WEDNESDAY

03/01/17

Day

Date

at

08:15 AM

at

☒ the court address above.

Time

☐ WED/TRIAL: 8:15A/1:30P RM 0218.

Location

Fee paid: \$

Process server's name

- ☐ 3. A civil action between these parties or other parties arising out of the transaction or occurrence alleged in this complaint has been previously filed in _____ Court. The case number, if known, is _____
- The action ☐ remains ☐ is no longer pending.

4. I have knowledge or belief about all the facts stated in this affidavit and I am
☒ the plaintiff or his/her guardian, conservator, or next friend. ☐ a partner. ☐ a full-time employee of the plaintiff.

5. The plaintiff is ☒ an individual. ☐ a partnership. ☐ a corporation. ☐ a sole proprietor. ☐ Other _____

6. The defendant is ☐ an individual. ☐ a partnership. ☒ a corporation. ☐ a sole proprietor. ☐ Other _____

7. The date(s) the claim arose is/are 11/30/16 1/18/17

Attach separate sheets if necessary

8. Amount of money claimed is \$ 5,500

(NOTE: Plaintiff's costs are determined by the court and awarded as appropriate. They are not part of the amount claimed.)

9. The reasons for the claim are: Violation of the Fair Debt Collection
pract Act 807 of 15 USC 1692d and Fair-Credit Reporting
Act 623(a)(1), (a)(3), (a)(7), (a)(8), 623(b)(1)(c)

10. The plaintiff understands and accepts that the claim is limited to \$5,500 by law and that the plaintiff gives up the rights to
(a) recover more than this limit, (b) an attorney, (c) a jury trial, and (d) appeal the judge's decision.

11. I believe the defendant ☒ is ☐ is not mentally competent. I believe the defendant ☒ is ☐ is not 18 years or older.

12. ☐ I do not know whether the defendant is in the military service. ☒ The defendant is not in the military service:
☐ The defendant is in the military service.

Subscribed and sworn to before me on 1/18/17

Signature

County, Michigan.

My commission expires:

Date

Signature:

Deputy clerk/Notary public

Notary public, State of Michigan, County of _____

The defendant(s) must be served by 04-26-2017

Expiration date

ADDITIONAL NOTICE AND INSTRUCTIONS

TO BOTH THE PLAINTIFF AND THE DEFENDANT:

- You must bring to the hearing all witnesses, books, papers, and other physical evidence needed to prove or disprove this claim.
- Before the trial (hearing) starts, you have the right to
 1. remove the case to the general civil division of the district court, or
 2. have the case heard by a district court judge (if the hearing is scheduled before an attorney magistrate). If the case is heard by an attorney magistrate, you may appeal to the district judge within 7 days after the trial.
- If the case is tried in the small claims division, you give up the right to an attorney, to a jury trial, and to appeal the judge's decision.

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

TO THE DEFENDANT:

- The affidavit and claim you have just received means you are being sued in the small claims division of the district court.
- The court is being asked to decide a matter that the plaintiff says is your obligation and responsibility.
- If you wish to deny this claim or arrange terms of payment, you must make your request by appearing at the date, time, and place stated in the notice of hearing on the front of this form.
- If you do not appear at the date, time, and place stated, a default judgment may be entered against you for the amount stated in item 8, including the costs of this action.
- If the dispute is settled before or at the hearing, you may have to pay the plaintiff's costs.
- In case a judgment is entered against you at the hearing, you should be prepared to pay the amount stated in item 8, including the costs of this action, or to make arrangements for installment payments.

CERTIFICATE OF SERVICE

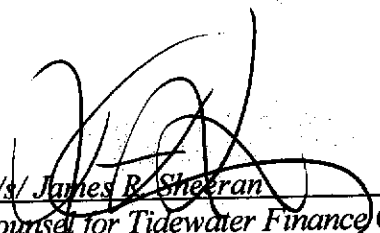
I certify that on this 16th day of February, 2017, I caused to be served a true and correct copy of the foregoing **NOTICE OF REMOVAL** and Exhibits by were served by first class mail, or by other means where so indicated, upon:

Shameka Bishop
465 E. Grand Blvd.
Detroit, MI 48207

By first class mail

Clerk of Court
36th Judicial District Court
State of Michigan
421 Madison Avenue
Detroit, MI 48226

By Federal Express



/s/ James R. Sheeran
Counsel for Tidewater Finance Company